

remove is triggered no earlier than date of service). The Plaintiffs thereafter filed an Amended Complaint on April 11, 2011, and Defendant served on April 18, 2011.

2. This action is one in which this Court has original jurisdiction under the provisions of 28 U.S.C. §1332 in that it is an action where diversity jurisdiction exists.

3. None of the impediments to removal under 28 U.S.C. §1445 are present in this action.

4. Plaintiffs are Tennessee residents and/or entities with their principal place of business in Tennessee.

5. Defendant is a corporation organized and existing under the laws of the State of Nebraska.

6. At no time material to this action were Plaintiffs and Defendant citizens of the same state. Therefore, complete diversity exists in accordance with 28 U.S.C. §1332.

7. Plaintiffs claim that the Defendant improperly terminated and failed to reinstate the Plaintiffs' two insurance policies. Plaintiffs claim they were damaged in excess of \$75,000.00. Given that the diversity requirements set forth in 28 U.S.C. §1332(a) are satisfied, removal of this case to federal court is proper.

8. In accordance with 28 U.S.C. §1446(a), Defendant has attached as Exhibit A and filed with the Clerk of this Court a copy of all process, pleadings, and orders served upon them.

9. Pursuant to 28 U.S.C. §1446(d), Defendant has provided written notice to Plaintiffs and have filed a copy of this Notice of Removal with the Clerk of the Court for Hamilton County Circuit Court, Tennessee, attached hereto as Exhibit B.

WHEREFORE, Defendant Lincoln Benefit Life Company respectfully requests that this Court accept this Notice of Removal and that it assume jurisdiction over this matter for all further proceedings, together with all other relief appropriate under the circumstances.

Respectfully submitted,

**CHAMBLISS, BAHNER &
STOPHEL, P.C.**

By: /s/ Anthony A. Jackson

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***Attorneys for Defendant,
Lincoln Benefit Life Company***

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was served on all counsel of record, as listed below, via certified mail, return receipt requested, and placed into an official depository of the United States Postal Service, on this the 28th day of April, 2011.

Mr. Robert D. Philyaw
THE LAW OFFICE OF ROBERT D. PHILYAW
101 Palisades Drive
Signal Mountail, TN 37377

/s/ Anthony A. Jackson
Anthony A. Jackson